

DEC 11 2009 12:14 FR THOMSON LICENSING 609 734 6888 TO 815712738300 P.06
CUSTOMER NO.: 24498
Serial No.: 10/563,892
Office Action dated: 09/11/09
Response dated: 12/10/09

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Remarks/Arguments

Claims 1 – 20 are pending, and claims 1 – 20 stand rejected. In this response, claims 1, 8 and 14 are amended.

35 U.S.C. §103

In the Office Action, the Examiner rejected claims 1-20 under 35 U.S.C. § 103(a) as being unpatentable over Hiroi, U.S. Patent No. 6,204,887, in view of Kim et al., US 6,714,253.

In the office action, Examiner cites in part, in item d) regarding Hiroi:

"the claimed withholding the embedded picture data is met where in the event the windows to be displayed exceed the availability of the resources (emphasis added), then the received images will be controlled so that the data corresponding to significant scene changes (via 156, 152 Fig 2a/b/c) is processed while at least some images without significant scene changes is not processed".

Note that amended claim 1 recites:

"a video processor having sufficient resources for displaying said video signal and said on-screen display signal with a desired embedded picture setting data, ..."

This claim feature is consistent with the application title and text and is contrasted to Hiroi's disclosure of a system:

"concerned with system resources and accommodating the display screen based upon the number of received images and the availability of the system resources.",

as pointed out by the Examiner. There is no suggestion in Hiroi of :

"A system for modifying video signals, the system comprising:

'at least one decoder that decodes a video signal that comprises embedded picture setting data;

'an on-screen display processor for generating an on-screen display signal when said system is in an on-screen display mode; and

'a video processor having sufficient resources for displaying said video signal and said on-screen display signal with a desired embedded picture setting data, said video processor adapted to:

'detect whether the system is operating in said on-screen display mode;

'detect when said desired embedded picture setting data change; apply the desired embedded picture setting data to the display screen when the desired picture setting data change if the system is not in the on-screen display mode; and

'withhold the desired embedded picture setting data from the display screen when the desired picture setting data change if the system is in the on-screen display mode.",

as claimed in amended claim 1. Further, if one were looking for a system to avoid on-screen fluctuations due to input signal changes when in an OSD mode and one had sufficient resources to process and display the input and OSD signals, one would not be drawn to disclosure of a system with limited system resources, nor one:

"to resize one or more of the displayed windows in order to preclude exceeding the available system resources."

Please see column 6 lines 52 – 57, for example,

"FIGS. 2A – 2C illustrate various embodiments of the present invention, wherein the window size of one or more windows being displayed at the same time is adjusted (emphasis added) so that the demand for system resources ... will not exceed the available resources."

Whereas Hiroi alters each window separately under conditions of inadequate system resources, the present application either applies the embedded picture setting data to the displayed screen or withholds the embedded picture setting data from the displayed screen. Support for the amendment of claim 1 is found in the specification text on page 4, lines 17 – 20:

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"If the video system 10 is not currently in an On Screen Display or other Graphic Centric Mode..., the embedded picture data alone is used to select the screen format and an associated color conversion matrix.",

and on page 4, lines 20 – 27:

"If the video system 10 is currently in an OSD, the screen format remains unchanged and the color conversion matrix is selected to convert the incoming video signal to match current colorimetry settings for the OSD. The current colorimetry settings for the OSD are the colorimetry settings being used by the video system 10 to currently display a video signal.",

and in Fig. 1, where it is graphically indicated that the color conversion and display format are set for the image being displayed after the OSD signal is combined with the input video signal.

Examiner incorporates Kim et al, stating:

"Kim discloses a system which based upon the embedded information of the signal (i.e. 4:3 or 16:9) will withhold the typical adjustment, based upon a set-top box OSD processing bit (Fig 11-12). In event a 16:9 source is incoming and the OSD processing bit is customized to "1", the system will adjust (prevent/withhold in part) the received signal embedded parameter in order to display the OSD/inset image appropriately as shown in Fig 12."

Applicants respectfully disagree with the Examiner's interpretation of the disclosure in Kim. As shown in figures 11 and 12 of Kim, Kim teaches, not to withhold the 16:9 picture data as a result of the OSD processing bit, but rather to move the location of the OSD signal if the OSD processing bit indicates an OSD mode. The decision to scale the 16:9 signal from the set top box to a 4:3 display is made based on the capability of the display device, not whether the display is in an OSD mode. There is no suggestion in Kim of:

"apply(ing) the desired embedded picture setting data to the display screen when the desired picture setting data change if the system is not in the on-screen display mode; and

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'withhold the desired embedded picture setting data from the display screen when the desired picture setting data change if the system is in the on-screen display mode.",

as in claim 1.

There is no suggestion in Hiroi or in Kim, singly or together, to:

"...apply the desired embedded picture setting data to the display screen when the desired picture setting data change if the system is not in the on-screen display mode; and withhold the desired embedded picture setting data from the display screen when the desired picture setting data change if the system is in the on-screen display mode."

With the amendment of claim 1 and the preceding comments , Applicants respectfully assert the rejection is traversed.

Claims 8 and 14 have been amended in a manner similar to the amendment of claim 1, and thus are believed allowable for all the reasons enumerated above. Applicants respectfully request the rejection of claims 1, 8 and 14 under 35 U.S.C. §103(a) be withdrawn. Claims 2 – 7, 9 – 13 and 15 – 20, being properly drawn to independent claims believed to be allowable, are also allowable. Withdrawal of rejections of dependent claims 2 – 7, 9 – 13 and 15 – 20 is respectfully requested.

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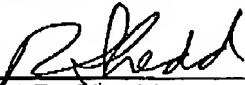
Conclusion

Having fully addressed the Examiner's rejections, it is believed that, in view of the preceding remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the Applicants' attorney at (609) 734-6828, so that a mutually convenient date and time for a telephonic interview may be scheduled.

No additional fee is believed due. However, if an additional fee is due, please charge the additional fee and/or credit any overpayment, to Deposit Account No. 07-0832.

Respectfully submitted,
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December 10, 2009